

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS

GALVESTON DIVISION

BEVERLY MARTIN

V.

GALVESTON POLICE DEPARTMENT,
ET AL.

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CIVIL ACTION NO. G-06-523


OPINION AND ORDER

In an Order dated August 16, 2006, the United States Magistrate Judge ordered *pro se* Plaintiff, Beverly Martin, to appear in Court on September 1, 2006, to Show Cause why her civil rights complaint, which appeared from its face to be time-barred, should not be dismissed. Instead of defending her complaint, Martin began a mean-spirited attack of the Magistrate Judge's authority and "interference." When Martin failed to appear on September 1, the Magistrate Judge, as warned, recommended that her complaint be dismissed for want of prosecution and gave Martin until September 18 to file objections. On September 14, Martin sent this Court a letter which continued her attack on the Magistrate Judge, but offered no explanation of how her complaint is not barred by the two year statute of limitations.

Beverly Martin is being treated no differently than any *pro se* Plaintiff that has filed a complaint with this Court in the last fifteen years. All such cases are routinely assigned to the Magistrate Judge for all pretrial proceedings. See 28 U.S.C. § 636(b)(1)(A) Martin's protestations are without merit and, given her refusal to cooperate in the development of her lawsuit, this Court **ACCEPTS** the Recommendation of the Magistrate Judge.

It is, therefore, the **ORDER** of this Court that the civil rights complaint of Plaintiff, Beverly Martin, is **DISMISSED** for want of prosecution.

DONE at Galveston, Texas, this 27th day of September, 2006.



Samuel B. Kent
United States District Judge